

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Eliana Behar	Team: Squad #1	CCRB Case #: 202000861	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 01/28/2020 2:30 PM, Tuesday, 01/28/2020 8:30 PM, NA, 06/___/2019 12:30 PM	Location of Incident: 1. Scholes Street and Morgan Avenue 2. Humboldt & Maujer Street 2. 90th Precinct stationhouse	Precinct: 90	18 Mo. SOL 12/1/2020	EO SOL 7/18/2021	
Date/Time CV Reported Fri, 01/31/2020 9:52 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Fri, 01/31/2020 9:52 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Michal Jalbrzykowski	21736	959710	090 PCT
2. POM Volkan Maden	14352	956863	090 PCT
3. SGT Andrew Hong	01035	953972	090 PCT
4. LT Sastri Drysdale	00000	941684	090 PCT
5. POF Jessica Schrell	26482	953384	090 PCT
6. An officer			
7. POF Paula Medrano	26860	945992	090 PCT
8. POM Stephen Sheppard	13816	945001	090 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. LT Timothy Fox	00000	944571	090 PCT
2. POM Karl Thomas	23368	962838	090 PCT
3. POM Tyler Howe	14840	961822	090 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POF Paula Medrano	Abuse: On an unknown date in June 2019 at 369 Scholes Street Police Officer Paula Medrano failed to provide § 87(2)(b) with a business card.	
B.POM Volkan Maden	Discourtesy: On January 28, 2020, at Humboldt and Maujer Streets, Police Officer Volkan Maden spoke discourteously to § 87(2)(b)	
C.POM Volkan Maden	Discourtesy: On January 28, 2020, at Humboldt and Maujer Streets, Police Officer Volkan Maden spoke discourteously to § 87(2)(b)	
D.POM Michal Jalbrzykowski	Force: On January 28, 2020, at Humboldt and Maujer Streets, Police Officer Michal Jalbrzykowski used physical force against § 87(2)(b)	
E.POM Stephen Sheppard	Force: On January 28, 2020, at Humboldt an Maujer Streets, Police Officer Stephen Sheppard used physical force against § 87(2)(b)	

Officer(s)	Allegation	Investigator Recommendation
F.POM Volkan Maden	Force: On January 28, 2020, at Humboldt an Maujer Streets, Police Officer Volkan Maden used physical force against § 87(2)(b)	
G.POM Volkan Maden	Discourtesy: On January 28, 2020, at Humboldt and Maujer Streets, Police Officer Volkan Maden acted discourteously toward § 87(2)(b)	
H.POM Michal Jalbrzykowski	Abuse: On January 28, 2020, at the 90th Precinct station house, Police Officer Michal Jalbrzykowski strip-searched § 87(2)(b)	
I. An officer	Abuse: On January 28, 2020, at the 90th Precinct station house, an officer searched § 87(2)(b)'s recording device.	
J. An officer	Abuse: On January 28, 2020, at the 90th Precinct station house, officers searched the vehicle in which § 87(2)(b) was an occupant.	
K.LT Sastri Drysdale	Abuse: On January 28, 2020, at the 90th Precinct Stationhouse, Lieutenant Sastri Drysdale failed to provide § 87(2)(b) with a business card.	
L.SGT Andrew Hong	Abuse: On January 28, 2020, at the 90th Precinct Stationhouse, Sergeant Andrew Hong failed to provide § 87(2)(b) with a business card.	
M.POF Jessica Schrell	Abuse: On January 28, 2020, at the 90th Precinct Stationhouse, Police Officer Jessica Schrell failed to provide § 87(2)(b) with a business card.	
N.LT Sastri Drysdale	Force: On January 28, 2020, at the 90th Precinct Stationhouse, Lieutenant Sastri Drysdale used physical force against § 87(2)(b)	
O.POM Volkan Maden	Abuse: On January 28, 2020, at the 90th Precinct stationhouse, Police Officer Volkan Maden refused to provide his name to § 87(2)(b)	
P.POM Volkan Maden	Abuse: On January 28, 2020, at the 90th Precinct stationhouse, Police Officer Volkan Maden refused to provide his shield number to § 87(2)(b)	
Q.POM Michal Jalbrzykowski	Abuse: On January 28, 2020, at the 90th Precinct Stationhouse, Police Officer Michal Jalbrzykowski refused to provide his name to § 87(2)(b)	
R.POM Michal Jalbrzykowski	Abuse: On January 28, 2020, at the 90th Precinct Stationhouse, Police Officer Michal Jalbrzykowski refused to provide his shield number to § 87(2)(b)	
S.POM Volkan Maden	Discourtesy: On January 28, 2020, at the 90th Precinct Stationhouse, Police Officer Volkan Maden spoke discourteously to § 87(2)(b)	
T.POM Volkan Maden	Abuse: On January 28, 2020, at the 90th Precinct Stationhouse, Police Officer Volkan Maden threatened § 87(2)(b) with the use of force.	
U.POF Paula Medrano	Abuse: On January 28, 2020, at the 90th Precinct Stationhouse, Police Officer Paula Medrano refused to provide her name to § 87(2)(b)	
V.POF Paula Medrano	Abuse: On January 28, 2020, at the 90th Precinct Stationhouse, Police Officer Paula Medrano refused to provide her shield number to § 87(2)(b)	

Case Summary

On January 31, 2020 § 87(2)(b) filed the following complaint with the CCRB via the online website for an incident that occurred on January 28, 2020. On February 24, 2020 § 87(2)(b) a victim in § 87(2)(b)'s complaint, filed a complaint with the CCRB via the online website regarding the same incident.

During a phone call that took place on March 3, 2020 § 87(2)(b) filed an additional complaint that took place on an unknown date in June of 2019.

On an unknown date in June of 2019 § 87(2)(b) went with his friend to an auto shop located at 369 Scholes Street, in Brooklyn. § 87(2)(b)'s friend double parked outside of the auto shop, and PO Paula Medrano, of the 90th Precinct, approached his vehicle. § 87(2)(b) asked PO Medrano for her business card, and she did not provide him with her business card (**Allegation A: Abuse of Authority—§ 87(2)(g)**). There were no summonses issued to § 87(2)(b) or his friend during this encounter.

There was no body worn camera (BWC) footage associated with this incident.

On January 28, 2020 § 87(2)(b) who was delivering prescription medication, parked his vehicle next to a fire hydrant on Humboldt Street near Maujer Street in Brooklyn. Police Officer Stephan Sheppard, Police Officer Volkan Maden, and Police Officer Michal Jalbrzykowski, of the 90th Precinct, approached § 87(2)(b)'s vehicle. PO Maden told § 87(2)(b) that he was illegally parked and called him a “hood lawyer” and said, “fuck this.” (**Allegation B: Discourtesy—§ 87(2)(g)**) (**Allegation C: Discourtesy—§ 87(2)(g)**). PO Maden pulled § 87(2)(b) out of the vehicle and placed him in handcuffs, and PO Jalbrzykowski, PO Maden, and PO Sheppard jumped on § 87(2)(b) (**Allegation D: Force—§ 87(2)(g)**) (**Allegations E, and F: Force—§ 87(2)(g)**). PO Maden then spit in § 87(2)(b)'s face while he was on the ground (**Allegation G: Discourtesy—§ 87(2)(g)**).

PO Maden and PO Sheppard took § 87(2)(b) to the 90th Precinct Stationhouse, and PO Jalbrzykowski drove § 87(2)(b)'s car to the stationhouse. At the stationhouse PO Jalbrzykowski strip-searched § 87(2)(b) by pulling down his pants and looking into his underwear before placing § 87(2)(b) in a holding cell (**Allegation H: Abuse of Authority—§ 87(2)(g)**). An unknown officer also went through § 87(2)(b)'s cellphone and searched his vehicle (**Allegation I and J: Abuse of Authority—§ 87(2)(g)**). § 87(2)(b) was eventually released with four summonses: § 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

Later in the day, around 8:30pm, § 87(2)(b) § 87(2)(b)'s boss, went to the stationhouse with § 87(2)(b) to try and get § 87(2)(b)'s summonses revoked. Multiple officers, including Lieutenant Sastri Drysdale, Sergeant Andrew Hong, and Police Officer Jessica Schrell, spoke to § 87(2)(b) in the stationhouse lobby. § 87(2)(b) asked these three officers for their business cards, and none of them provided § 87(2)(b) with their business cards (**Allegation K, L, and M: Abuse of Authority—§ 87(2)(g)**). Lt. Drysdale then told § 87(2)(b) to leave the stationhouse and pushed him out the front door of the stationhouse (**Allegation N: Force—§ 87(2)(g)**). § 87(2)(b) saw PO Maden and PO Jalbrzykowski walk out of the stationhouse into the parking lot, and § 87(2)(b) asked each of them for their name and shield number and neither officer provided their name or shield number (**Allegations O, P, Q, and R: Abuse of Authority—§ 87(2)(g)**). PO Maden then said “get the fuck out of here” to § 87(2)(b) and charged at him with his hands in fists

and tried to grab § 87(2)(b)'s neck (**Allegations S: Discourtesy—§ 87(2)(g)**) (**Allegation T: Abuse of Authority—§ 87(2)(g)**). § 87(2)(b) called 911 to report what had happened, and while he was on the phone standing in front of the stationhouse, he saw Police Officer Paula Medrano walk into the stationhouse. § 87(2)(b) asked her for her name and shield number, and she did not answer him and went inside the stationhouse (**Allegations U and V: Abuse of Authority—§ 87(2)(g)**).

Body worn camera footage from four officers and station house footage was obtained for these incidents (Board Review 09-17).

Findings and Recommendations

Allegation (A) Abuse of Authority: On an unknown date in June 2019 at 369 Scholes Street Police Officer Paula Medrano failed to provide § 87(2)(b) with a business card.

§ 87(2)(b) alleged that on either June 9, 2019 or June 10, 2019, at around 12:00pm, his friend (who he did not name) dropped him off at an auto shop located at 369 Scholes Street, and while he was inside of the auto shop his friend remained in his vehicle double parked outside of the auto shop. When § 87(2)(b) left the auto shop he noticed a police vehicle next to his friend's car. § 87(2)(b) approached PO Medrano and asked her what was going on, and she responded that they needed to move their car. § 87(2)(b) asked PO Medrano for her business card. PO Medrano did not provide her business card and walked away from him. No summons was issued (Board Review 01).

After reviewing PO Medrano's memo book, it was determined that she was not working on June 10, 2019. PO Medrano was working on June 8, 2019 and June 9, 2019; however, she had no memo book entries regarding this incident (Board Review 02). An event log was also requested for events occurring at 369 Scholes Street from June 6, 2019 through June 9, 2019 and no results were found.

PO Medrano recalled approaching a vehicle, sometime during the summer of 2019, that was double parked and blocking a bike lane outside of 369 Scholes Street and telling the driver that he needed to move his car. PO Medrano stated that § 87(2)(b) walked out of the auto shop and approached her and said, "that's my friend." PO Medrano explained to § 87(2)(b) that his friend needed to move his vehicle. PO Medrano gave § 87(2)(b)'s friend a warning and the individual moved his vehicle. She did not issue any summonses. At no point did § 87(2)(b) ask PO Medrano for her business card during their interaction (Board Review 03).

§ 87(2)(g)

Allegation (B) Discourtesy: On January 28, 2020, at Humboldt and Maujer Streets, Police Officer Volkan Maden spoke discourteously to § 87(2)(b)

§ 87(2)(b) in his initial complaint to the CCRB, and in his phone statement, stated that when PO Maden asked him for his ID he requested a supervisor on scene. PO Maden told § 87(2)(b) that he had been watching too much TV and called § 87(2)(b) a "hood lawyer" (Board Review 04, 18).

In PO Jalbrzykowski's BWC, PO Maden argues with § 87(2)(b) who is on the ground and handcuffed. § 87(2)(b) at the 01:29 mark of the BWC, yells that PO Maden pulled him out of his car rather than asking him to step out. PO Maden then yells that § 87(2)(b) refused to provide his

ID, and § 87(2)(b) states that he did not need to provide PO Maden with his ID. At 01:42 PO Jalbrzykowski tells § 87(2)(b) that he is obstructing governmental administration, and § 87(2)(b) yells “I don’t have to give you my ID.” PO Maden yells back that he does have to give his ID, and at 01:46 he yells “all right shut up hood lawyer” and again, “hood lawyer, shut up hood lawyer.” This same incident is captured on PO Maden’s second BWC at 2:05 (Board Review 11, 12).

PO Maden testified that he observed a white SUV double parked next to a fire hydrant, so he approached the vehicle and spoke to the driver, § 87(2)(b). He explained to § 87(2)(b) why he was being stopped and requested his ID. § 87(2)(b) refused to provide his ID and told PO Maden that he was stopped illegally. § 87(2)(b) then asked for a supervisor, and PO Maden told § 87(2)(b) that he needed to comply and provide his ID. § 87(2)(b) did not provide his ID so PO Maden pulled him out of the vehicle and took § 87(2)(b) to the ground where he and PO Sheppard placed him in handcuffs. PO Maden did not recall if he called § 87(2)(b) a “hood lawyer” during this encounter (Board Review 19).

After viewing PO Jalbrzykowski’s BWC, where PO Maden is seen and heard calling § 87(2)(b) a “hood lawyer,” PO Maden stated that he did call § 87(2)(b) a “hood lawyer” and that when he made the statement, he was referring to § 87(2)(b) acting like a neighborhood lawyer. PO Maden stated that civilians think that they know the law, and try to argue with the police, but they are not actually lawyers. PO Maden did not believe that the word “hood” had any negative connotation and stated that he was not referencing § 87(2)(b)’s race or social class. PO Maden stated that “hood” just means “neighborhood” (Board Review 19).

Per a search on Urban Dictionary, the most common definitions refer to “the hood” as an inner-city area that is typically a poor area associated with gangs and crimes (Board Review 28).

According to Patrol Guide Procedure 200-02, the NYPD’s mission is to “treat every citizen with compassion, courtesy, professionalism, and respect, while officially rendering police services and enforcing the law impartially” (Board Review 21). DCT Case No. 2015-15012 states that discourteous statements are allowed during dynamic situations, however they are not allowed when their sole purpose is to belittle the civilian (Board Review 22).

§ 87(2)(g)

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Allegation (C) Discourtesy: On January 28, 2020, at Humboldt and Maujer Streets, Police Officer Volkan Maden spoke discourteously to § 87(2)(b)

Allegation (D) Force: On January 28, 2020, at Humboldt and Maujer Streets, Police Officer Michal Jalbrzykowski used physical force against § 87(2)(b)

Allegation (E) Force: On January 28, 2020, at Humboldt and Maujer Streets, Police Officer Stephen Sheppard used physical force against § 87(2)(b)

Allegation (F) Force: On January 28, 2020, at Humboldt and Maujer Streets, Police Officer Volkan Maden used physical force against § 87(2)(b)

Allegation (G) Discourtesy: On January 28, 2020, at Humboldt and Maujer Streets, Police Officer Volkan Maden acted discourteously toward § 87(2)(b)

§ 87(2)(b) filed a complaint with IAB on January 29, 2020, and an emailed complaint with the CCRB on February 24, 2020. He provided a short phone statement (IA 50) on March 4, 2020 but failed to cooperate with numerous attempts to interview him. He also filed a Notice of Claim regarding this incident (Board Review 04, 18, 29).

§ 87(2)(b) stated that after PO Maden called him a “hood lawyer” he asked again for a supervisor and PO Maden said, “fuck this” and pulled him out of his vehicle and § 87(2)(b) put up his hands and slowly went to the ground on his own (Board Review 18). As § 87(2)(b) lay on his stomach, PO Maden, PO Jalbrzykowski, and PO Sheppard “jumped on” § 87(2)(b). § 87(2)(b) did not provide any additional details regarding the officers jumping on him. According to § 87(2)(b)'s initial CCRB complaint, while § 87(2)(b) was lying on the ground, PO Maden was yelling at him and spit in his face. § 87(2)(b) however, did not state that PO Maden spit on him during his phone statement (Board Review 04, 18).

PO Maden and PO Jalbrzykowski's BWC videos do not capture PO Maden saying “fuck this” to § 87(2)(b) (Board Review 11, 21). PO Jalbrzykowski's BWC shows PO Maden pull § 87(2)(b) out of his vehicle and then PO Maden and PO Sheppard grab each of § 87(2)(b)'s arms. At this point PO Jalbrzykowski walks around to the driver's side of the vehicle and assists in taking § 87(2)(b) down to the floor. In PO Maden's BWC (2 of 2) at the 00:18 mark, § 87(2)(b) is lying face down on the ground and PO Maden's hand is grabbing onto § 87(2)(b)'s left arm while he is in handcuffs and lying face down on the ground. There is no BWC footage of any officer jumping on § 87(2)(b)'s back, however due to the angle of the BWC one cannot see PO Maden and PO Sheppard's entire interaction with § 87(2)(b) while he is on the ground. PO Jalbrzykowski's BWC (2 of 2) shows that while PO Maden and PO Sheppard are with § 87(2)(b) who is in handcuffs on the floor, he is standing near his police vehicle calling the lieutenant. In the BWC videos PO Maden is not seen at any point spitting on § 87(2)(b) or § 87(2)(b) complaining of any such action (Board Review 09, 10, 11, 12.)

The BWC videos captured the incident from the time PO Maden approached § 87(2)(b)'s vehicle until § 87(2)(b) is taken back to the stationhouse, § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

PO Jalbrzykowski's BWC videos show that once § 87(2)(b) is on the ground, PO Jalbrzykowski walks back to his vehicle and makes a phone call while PO Maden and PO Sheppard place § 87(2)(b) in handcuffs while he was lying down on the ground. § 87(2)(g)

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§ 87(2)(g)

Allegation (H) Abuse of Authority: On January 28, 2020, at the 90th Precinct station house, Police Officer Michal Jalbrzykowski strip-searched § 87(2)(b)

It is undisputed that at the 90th Precinct Stationhouse PO Jalbrzykowski searched § 87(2)(b) prior to placing him in a holding cell.

§ 87(2)(b) testified that when he was taken to the holding cell room of the 90th Precinct Stationhouse an officer searched him and pulled down his pants. The officer also looked inside § 87(2)(b)'s underwear (Board Review 04).

PO Jalbrzykowski's BWC (2 of 2), at the 12:48 mark, shows him inside the holding cell room with § 87(2)(b). § 87(2)(b) removes his jacket and his shoes. At 14:56 of the BWC, PO Jalbrzykowski instructs § 87(2)(b) to stand with his hands placed against the wall and PO Jalbrzykowski proceeds to pull down § 87(2)(b)'s sweatpants, half-way, revealing a pair of black elastic waist shorts that he is wearing underneath his sweatpants. What appears to be grey boxer briefs are sticking out the top of the black shorts. He then he reaches inside and flips the pockets of § 87(2)(b)'s shorts inside out and at 15:16 pulls the front of the elastic waistband on his shorts and flips it over then does the same to the sweatpants and pulls on the waistband string on the sweatpants. At no point does PO Jalbrzykowski look into or reach inside of his underwear or pull § 87(2)(b)'s shorts down. PO Jalbrzykowski continues to pat down § 87(2)(b) and then § 87(2)(b) goes into the holding cell. This is also captured in PO Maden's BWC (2 of 2) (Board Review 11, 12).

PO Jalbrzykowski stated that when he got back to the stationhouse, he filled out § 87(2)(b)'s pedigree sheet and took him to the holding cell. Next to the holding cell, PO Jalbrzykowski performed a thorough search of § 87(2)(b) to make sure that he did not have any weapons or contraband on him. § 87(2)(b) was wearing sweatpants over a pair of basketball shorts so PO Jalbrzykowski pulled down § 87(2)(b)'s sweatpants, revealing his shorts and felt inside the waistband of both layers of clothing, and removed the strings from the waistband. PO Jalbrzykowski never removed § 87(2)(b)'s shorts and did not expose his underwear (Board Review 20).

According to Patrol Guide Procedure 208-05, a strip search is any search in which an individual's undergarments and/or private areas are exposed. This includes removing, lifting, or pulling down a person's clothing to expose undergarments or private areas (Board Review 34).

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Allegation (I) Abuse of Authority: On January 28, 2020, at the 90th Precinct station house, an officer searched § 87(2)(b)'s recording device.

Allegation (J) Abuse of Authority: On January 28, 2020, at the 90th Precinct station house an officer searched the vehicle in which § 87(2)(b) was an occupant.

§ 87(2)(b) stated in his online CCRB complaint that when he was taken back to the stationhouse officers confiscated his phone and someone searched through his messages. § 87(2)(b) believed that someone had gone through his phone because his friend had been sending him Facebook messages, and his friend reported to him that the messages kept saying "read" meanwhile § 87(2)(b) was not with his phone at the time his friend messaged him. § 87(2)(b) also wrote in his online CCRB complaint that officers searched his car. His reasoning for this was because after he

was released from the holding cell, he went to get his car and noticed that a bunch of medical supplies which he had inside his car were torn up. § 87(2)(b) did not bring up these allegations in his phone statement to the CCRB (Board Review 04).

§ 87(2)(b) testified that § 87(2)(b) works as a delivery person and is responsible for delivering people's medications from pharmacies. § 87(2)(b) stated that when he and § 87(2)(b) went to get § 87(2)(b)'s car the sealed paper that contained people's medications was ripped open (Board Review 24).

PO Jalbryzkowski stated that he drove § 87(2)(b)'s vehicle back to the stationhouse. He then went inside the stationhouse and searched § 87(2)(b). PO Jalbryzkowski did not recall if § 87(2)(b) had his cellphone on him and stated that if he did have his phone on him it would have been vouchered. PO Jalbryzkowski could not recall if he ever searched § 87(2)(b)'s vehicle. He said that typically when a vehicle is brought back to the stationhouse it is held for safekeeping and an inventory search is conducted (Board Review 20).

In PO Jalbryzkowski's BWC (2 of 2), at the 02:55 mark, § 87(2)(b) is escorted to the police vehicle by PO Maden and PO Sheppard and says, "did you pick my phone up?" PO Jalbryzkowski responds that he has § 87(2)(b)'s cellphone. This is the only mention of § 87(2)(b)'s cellphone during the entirety of their interaction. Then, at the 12:14 mark PO Jalbryzkowski is standing at the front desk of the stationhouse placing § 87(2)(b)'s property, including his cellphone, in a plastic bag at the 90th Precinct front desk. He leaves the bag of § 87(2)(b)'s items at the front desk and then escorts § 87(2)(b) to his holding cell. PO Maden, PO Sheppard, and PO Jalbryzkowski's BWC videos do not show them going through § 87(2)(b)'s cellphone at any point. There were no property vouchers for § 87(2)(b)'s vehicle and there was no footage of any officer conducting a vehicle search (Board Review 11, 12, 35, 36). § 87(2)(b) was released with summonses. There were no property vouchers for his arrest (Board Review 36).

According to Patrol Guide Procedure 218-13, when property comes into custody of the police department an inventory search will be conducted to protect property and ensure against unwarranted claims of theft. If the contents to be inventoried are inside of a vehicle, the vehicle must be searched thoroughly and includes searching the glove compartment, console, under the seats, floor mats, hood, and dashboard and inside the trunk (Board Review 37).

§ 87(2)(g)

Allegation (K) Abuse of Authority: On January 28, 2020, at the 90th Precinct Stationhouse, Lieutenant Sastri Drysdale failed to provide § 87(2)(b) with a business card.

Allegation (L) Abuse of Authority: On January 28, 2020, at the 90th Precinct Stationhouse, Sergeant Andrew Hong failed to provide § 87(2)(b) with a business card.

Allegation (M) Abuse of Authority: On January 28, 2020, at the 90th Precinct Stationhouse, Police Officer Jessica Schrell failed to provide § 87(2)(b) with a business card.

Allegation (N) Force: On January 28, 2020, at the 90th Precinct Stationhouse, Lieutenant Sastri Drysdale used physical force against § 87(2)(b)

It is undisputed that § 87(2)(b) went to the 90th Precinct Stationhouse, at around 8:30pm, with § 87(2)(b) to speak to officers.

§ 87(2)(b) stated that when he arrived at the 90th Precinct Stationhouse he first went to the front desk and asked the desk officer why § 87(2)(b) got arrested. While § 87(2)(b) was standing in the main lobby of the stationhouse, five officers, including Sgt. Hong, Lt Drysdale, and PO Schrell, walked into the lobby. § 87(2)(b) asked the officers if the summonses that were issued to § 87(2)(b) could be revoked, and an officer told § 87(2)(b) that the summonses could not be revoked, and an officer asked § 87(2)(b) to leave the stationhouse. § 87(2)(b) then asked Sgt. Hong, PO Schrell, and Lt. Drysdale for their business cards, and Lt. Drysdale replied that they did not have business cards. PO Schrell then told § 87(2)(b) she would provide him with her business card and continued to speak to § 87(2)(b) until officers told him to leave the stationhouse. PO Schrell, Sgt. Hong, and Lt. Drysdale did not end up providing § 87(2)(b) with their business cards. § 87(2)(b) then asked Sgt. Hong for his supervisor, and Sgt. Hong said that he was the supervisor. At this point all the officers left the stationhouse lobby, and another police officer walked into the stationhouse through the main entrance. § 87(2)(b) explained to this officer that the officers he was speaking to prior refused to call him a supervisor. While he was speaking to this officer, all five officers that were previously inside the lobby exited through one of the doors, leaving the lobby, and Lt. Drysdale shoved § 87(2)(b)'s left arm and pushed him out of the building (Board Review 24).

Stationhouse surveillance footage from 90th Precinct lobby, which does not contain audio, shows Sgt. Hong, who is standing next to a door located on the right side of the lobby, speaking with § 87(2)(b) a Black male with facial hair who is standing inside the stationhouse lobby a few feet away from the side door wearing grey jeans, a black jacket, and a black beanie. Lt. Drysdale is seen holding this side door open, and three more officers are seen standing behind the side door. At 00:53 of the surveillance footage Lt. Drysdale shuts the side door and § 87(2)(b) and § 87(2)(b) remain inside the stationhouse lobby and speak to a plainclothes officer. At 01:02, Lt. Drysdale, who is followed by PO Schrell, PO Howe, PO Jalbrzykowski, and PO Thomas, places his hands on § 87(2)(b)'s upper arms and uses his arms to escort § 87(2)(b) out the main entrance of the stationhouse, and § 87(2)(b) follows him outside. § 87(2)(b) does not stumble, trip, or lean/lurch forward on his way out of the stationhouse. At 01:23 Lt. Drysdale closes the doors to the main entrance of the Stationhouse and § 87(2)(b) and § 87(2)(b) remain standing outside the doorway (Board Review 14).

PO Schrell and Sgt. Hong had no independent recollection of this incident. After showing them the stationhouse surveillance footage respectively, PO Schrell and Sgt. Hong identified themselves as being present, however neither officer recalled if § 87(2)(b) asked them for their business cards. Lt. Drysdale recalled interacting with § 87(2)(b) however he did not recall § 87(2)(b) asking him, or any of the officers present, for their business cards. All three officers stated that when a civilian asks them for their business cards, they provide this information (Board Review 05, 06, 23).

Lt. Drysdale testified that § 87(2)(b) asked him if the 90th Precinct could revoke the summonses that were issued to § 87(2)(b). Lt. Drysdale explained to § 87(2)(b) that they could not, and § 87(2)(b) began arguing with Lt. Drysdale. Lt. Drysdale then told § 87(2)(b) that he needed to leave the stationhouse, but § 87(2)(b) did not leave. Lt. Drysdale asked him to leave a second time and placed his hand on § 87(2)(b)'s back and guided him out of the stationhouse (Board Review 06).

§ 87(2)(g)

§ 87(2)(g)

Allegation (O) Abuse of Authority: On January 28, 2020, at the 90th Precinct Stationhouse, Police Officer Volkan Maden refused to provide his name to § 87(2)(b)

Allegation (P) Abuse of Authority: On January 28, 2020, at the 90th Precinct Stationhouse, Police Officer Volkan Maden refused to provide his shield number to § 87(2)(b)

Allegation (Q) Abuse of Authority: On January 28, 2020, at the 90th Precinct Stationhouse, Police Officer Michal Jalbrzykowski refused to provide his name to § 87(2)(b)

Allegation (R) Abuse of Authority: On January 28, 2020, at the 90th Precinct Stationhouse, Police Officer Michal Jalbrzykowski refused to provide his shield number to § 87(2)(b)

Allegation (S) Discourtesy: On January 28, 2020, at the 90th Precinct Stationhouse, Police Officer Volkan Maden spoke discourteously to § 87(2)(b)

Allegation (T) Abuse of Authority: On January 28, 2020, at the 90th Precinct Stationhouse, Police Officer Volkan Maden threatened § 87(2)(b) with the use of force.

§ 87(2)(b) stated that after he was pushed out of the stationhouse, he waited outside of the stationhouse entrance with § 87(2)(b). § 87(2)(b) noticed PO Jalbrzykowski and PO Maden exit the stationhouse, and both officers stood starting at § 87(2)(b) and § 87(2)(b). § 87(2)(b) told the officers that they were going to get in trouble and asked each for his name and badge number. PO Maden and PO Jalbrzykowski did not answer, instead PO Maden said, “get the fuck out of here.” § 87(2)(b) then called PO Maden a bum, and PO Maden charged towards § 87(2)(b) with both of his hands in fists and placed out in front of him and tried to grab § 87(2)(b) around the neck. § 87(2)(b) jumped backwards and PO Maden then walked away towards his vehicle and drove away.

PO Maden stated that around 8:35pm he finished his tour and left the stationhouse through the front entrance with PO Jalbrzykowski. He saw § 87(2)(b) standing outside of the stationhouse. § 87(2)(b) followed the officers to their vehicles and harassed them by asking several questions. PO Maden told § 87(2)(b) to get away from him and told § 87(2)(b) that he was off-duty. § 87(2)(b) walked away from him, and PO Maden left the stationhouse. PO Maden did not remember if § 87(2)(b) asked him for his name and shield number but stated that he is only required to provide this information when he is on duty. PO Maden did not recall telling § 87(2)(b) to “get the fuck out of here” or placing his hands in fists and charging towards § 87(2)(b) (Board Review 19).

PO Jalbrzykowski testified that at around 8:30pm, § 87(2)(b) and § 87(2)(b) came into the stationhouse lobby, and § 87(2)(b) was making a commotion and asked every officer in the lobby for their name and shield number. PO Jalbrzykowski stated that while he was in the lobby he provided § 87(2)(b) with his name and shield number, and that every other officer present also provided him with their names and shield numbers. PO Jalbrzykowski stated that when his tour ended he left the stationhouse with PO Maden and they headed to their personal vehicles. § 87(2)(b) who was outside of the stationhouse, followed PO Jalbrzykowski and PO Maden and PO Maden told § 87(2)(b) to stop following them. At no point did PO Jalbrzykowski witness PO Maden tell § 87(2)(b) to “get the fuck out of here” or charge towards § 87(2)(b) (Board Review 20).

There was no stationhouse footage received from outside of the stationhouse, and therefore this interaction between § 87(2)(b), PO Maden, and PO Jalbrzykowski was not captured on video. § 87(2)(b) in his complaint to IAB, described going to the stationhouse with § 87(2)(b) however he did not provide testimony regarding any interactions he or § 87(2)(b) had with police officers after leaving the stationhouse (Board Review 29).

§ 87(2)(g)

Allegation (U) Abuse of Authority: On January 28, 2020, at the 90th Precinct Stationhouse, Police Officer Paula Medrano refused to provide her name to § 87(2)(b)

Allegation (V) Abuse of Authority: On January 28, 2020, at the 90th Precinct Stationhouse, Police Officer Paula Medrano refused to provide her shield number to § 87(2)(b)

After interacting with PO Maden and PO Jalbrzykowski, § 87(2)(b) remained outside of the stationhouse and PO Medrano walked past § 87(2)(b) and asked him to come inside the stationhouse and § 87(2)(b) followed her back inside the lobby. While inside the stationhouse lobby § 87(2)(b) asked PO Medrano for her name and shield number. PO Medrano did not respond to § 87(2)(b) and walked away from him. § 87(2)(b) then left the stationhouse (Board Review 24).

§ 87(2)(b) knew that the officer he spoke to during this encounter was PO Medrano because he recognized her from a prior encounter, and knew she was a Neighborhood Community Officer (NCO). After searching for photographs of each NCO of the 90th Precinct, § 87(2)(b) determined that the officer he interacted with was PO Medrano (Board Review 33).

This interaction between PO Medrano and § 87(2)(b) was not captured in the one-hour long stationhouse footage between 20:30-21:30, and there is no footage of PO Medrano entering the stationhouse during this time frame. § 87(2)(b) did not provide any information regarding this interaction (Board Review 13, 14).

PO Medrano had no recollection of this incident and stated that she was ending her tour around the alleged incident time but did not recall having any interactions with § 87(2)(b) on this date. PO Medrano did not recall § 87(2)(b) ever asking for her name and shield number and stated that she provides her name and shield number when asked (Board Review 03).

PO Medrano did not recall this incident, and there was no video footage of PO Medrano entering the stationhouse during the alleged incident time. § 87(2)(g)

Civilian and Officer CCRB Histories

- § 87(2)(b) has been party to six CCRB complaints and has been named as a victim in 27 allegations (Board Review 27):

- § 87(2)(b)

- § 87(2)(b) [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- Police Officer Paula Medrano has been a member-of-service for 13 years and has been a subject in one CCRB complaint and two allegations, neither of which were substantiated. § 87(2)(g) [REDACTED]
- Police Officer Jessica Schrell has been a member-of-service for nine years and has been a subject in four CCRB complaints and 13 allegations, of which one was substantiated:
 - 201909693 involved a substantiated allegation of discourtesy against PO Schrell. The Board recommended command discipline and the NYPD imposed command discipline. § 87(2)(g) [REDACTED]
- Police Officer Volkan Maden has been a member-of-service for seven years and has been a subject in seven CCRB complaints and 34 allegations, none of which were substantiated. § 87(2)(g) [REDACTED]
- Police Officer Michal Jalbrzykowski has been a member-of-service for five years and has been a subject in nine CCRB complaints and 32 allegations, of which two were substantiated:
 - 201807850 involved two substantiated allegations of discourtesy against PO Jalbrzykowski. The Board recommended command discipline and the NYPD imposed command level instructions. § 87(2)(g) [REDACTED]
- Lieutenant Sastri Drysdale has been a member-of-service for 15 years and has been a subject in three CCRB complaints and six allegations, none of which were substantiated. § 87(2)(g) [REDACTED]
- Sergeant Andrew Hong has been a member-of-service for eight years and has been a subject in three CCRB complaints and five allegations, none of which were substantiated. § 87(2)(g) [REDACTED]

Mediation, Civil, and Criminal Histories

- § 87(2)(b) [REDACTED] declined to mediate this complaint.
- § 87(2)(b) [REDACTED] filed a Notice of Claim with the City of New York claiming that he was falsely arrested, falsely imprisoned, maliciously prosecuted, assaulted, battered, and illegally searched and seized and seeking \$1,000,000 as redress (Board Review 07). A 50H hearing was held on § 87(2)(b) [REDACTED] and the transcription was exempt from disclosure (Board Review 08).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)] [REDACTED]
- [REDACTED]

Squad: 1

Eliana Behar	Inv. Behar	10/18/2021
Investigator: _____	_____	_____
Signature	Print Title & Name	Date

Squad Leader: Mgr. Joy Almeyda 10.18.21

Signature

Print Title & Name

Date